



Wylie City Council

Minutes

Wylie City Council Meeting

Tuesday, May 26, 2015 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers
300 Country Club Road, Bldg. 100
Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Carole Ehrlich took roll call with the following City Council members present: Mayor Eric Hogue, Mayor pro tem Keith Stephens, Councilman David Dahl, Councilman Todd Wintters, Councilwoman Diane Culver, and Councilman William Whitney III. Councilman Bennie Jones was absent.

Staff present were: Assistant City Manager, Jeff Butters; Development Services Director, Renae' Ollie; Finance Director, Linda Bantz; Fire Chief, Brent Parker; City Secretary, Carole Ehrlich; Assistant Police Chief, Anthony Henderson; Public Information Officer, Craig Kelly; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Hogue gave the invocation. Junior Mayor Emily Edwards led the Pledge of Allegiance.

PRESENTATIONS

- **Presentation of Junior Mayor Emily Edwards**

Mayor Hogue introduced Junior Mayor for the Day Emily Edwards. Mayor Hogue explained Emily won the silent auction for Davis Intermediate where she is a 5th grade student. Hogue explained the winner receives the designation as "Mayor for the Day." Mayor Hogue administered the student oath of office and Emily presided along with the Mayor during the council meeting. All funds raised from the silent auction go to the local campus PTA.

- **Presentation by 1LT Robert F. Welch III Charity to the Wylie PD K-9 Unit**

Members of the 1Lt. Robert F. Welch III Charity donated \$3,000 to the Wylie Police Department. The funds, which were raised at the fourth annual Run for Our Heroes race event in April, will go

toward the purchase of a new K9 police dog and its associated costs. The Run for Our Heroes event began in 2012 to honor the memory of 1Lt. Robert F. Welch III, the first Wylie citizen to lose his life in combat since the Vietnam War. 1Lt. Welch was killed in Afghanistan in April 2011. His widow, Becky Welch, and her friend, Alicia Young, founded the charity and the event, which has provided scholarships for Wylie High and Wylie East High students. The scholarships are now endowed, or self-sustaining, so this year, event proceeds went to Wylie PD. On hand were Mrs. Welch, her friend and co-founder Alicia Young, and Lt. Welch's parents Bob and Barbara Welch.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

No citizens were present wishing to address Council during Citizens Comments.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, approval of the Minutes of May 12, 2015 Regular Meeting of the Wylie City Council. (C. Ehrlich, City Secretary)
- B. Consider, and act upon, the monthly Revenue and Expense Report for the Wylie Economic Development Corporation as of April 30, 2015. (S. Satterwhite, WEDC Director)
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2015. (L. Bantz, Finance Director)
- D. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2015. (L. Bantz, Finance Director)
- E. Consider, and act upon, approval of a Final Plat for Westgate Station Addition on 10.060 acres, generally located south east corner of Westgate Way and Fleming. (R. Ollie, Development Services Director)

Council Action

A motion was made by Councilman Wintters, seconded by Mayor pro tem Stephens to approve the Consent Agenda as presented. A vote was taken and the motion passed 6-0 with Councilman Jones absent.

REGULAR AGENDA

- 1. Consider, and act upon, Ordinance No. 2015-21 of the City Council of the City of Wylie, Texas, approving a NEGOTIATED settlement between the Atmos Cities Steering

Committee ("ACSC") and ATMOS ENERGY CORP., Mid-Tex Division regarding the company's 2014 and 2015 rate review mechanism filings; approving a settlement agreement with attached rate tariffs and proof of revenues; declaring Existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the Negotiated Settlement; finding the rates to be set by the Settlement Tariffs to be just and reasonable and in the public interest; Requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a saving clause; declaring an effective date; and requiring delivery of this Ordinance to the company and the ACSC's legal counsel. (M. Manson, City Manager)

Staff Comments

Assistant City Manager Butters addressed Council stating that the City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). The RRM Tariff was adopted by the City as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. In February 2014, Atmos Mid-Tex filed its second annual filing under the Rate Review Mechanism ("RRM") Tariff, seeking an increase of \$45.7 million. Although ACSC attempted to reach a settlement with the Company as it had in past years, the wide differences between the Company and ACSC's consultants' recommendations made a compromise impossible. On the recommendation of the ACSC Executive Committee and ACSC's legal counsel, the City in 2014 adopted a Resolution denying the requested rate increase.

Butters explained, the Ordinance and attached Settlement Agreement and tariffs are the result of negotiation between the Mid-Tex Executive Committee and the Company to resolve issues raised by ACSC during the review and evaluation of Atmos Mid-Tex's filing. The recommended Settlement Agreement also requires Atmos to abate its appeal of the City's rejection of the 2014 RRM rate increase pending approval by all ACSC cities of the Settlement Agreement. The Agreement requires Atmos to give the City the benefit of the adjustments to the 2014 rate increase recommended by the PFD.

The Ordinance and Settlement tariffs approve rates that will increase the Company's revenues by \$65.7 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2015. The monthly residential customer charge will be \$18.60. The consumption charge will change from \$0.08819 per Ccf to \$0.09931 per Ccf. The monthly bill impact for the typical residential customer consuming 60 Ccf will be an increase of \$1.14 (about a 1.59% increase in the base bill). The typical commercial customer will see an increase of \$2.69 or 0.96%.

Council Action

A motion was made by Councilman Whitney, seconded by Mayor pro tem Stephens to approve Ordinance No. 2015-21 of the City Council of the City of Wylie, Texas, approving a NEGOTIATED settlement between the Atmos Cities Steering Committee ("ACSC") and ATMOS ENERGY CORP., Mid-Tex Division regarding the company's 2014 and 2015 rate review mechanism filings; approving a settlement agreement with attached rate tariffs and proof of revenues; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the Negotiated Settlement; finding the rates to be set by the Settlement Tariffs to be just and reasonable and in the public interest; Requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a saving clause; declaring an effective date; and requiring delivery of this Ordinance to the company and

the ACSC's legal counsel. A vote was taken and the motion passed 6-0 with Councilman Jones absent.

2. **Consider, and act upon, Ordinance No. 2015-20 designating truck routes to regulate the activities of commercial vehicles in the City of Wylie (C. Holsted, City Engineer)**

Staff Comments

Assistant City Manager Butters addressed Council stating that the ordinance regulating truck routes within the Wylie City limits was last updated in 1982. The Texas Department of Transportation released ownership of Ballard Avenue from Brown Street to SH 78 to the City. This portion of roadway was previously designated as a truck route; however, due to increased pedestrian and vehicular traffic in the downtown area, staff recommends that this section of roadway be removed. ACM Butters presented a map showing the designated truck routes.

Councilwoman Culver asked ACM Butters if signage would be provided to either show the designated truck routes or signs posted restricting trucks from certain roadways. ACM Butters reported there would be signs posted along the designated truck routes to alert drivers to those roadways.

Citizen Comments

Jeremy Meier, representing the Downtown Merchants Association, addressed Council requesting to limit the heavy traffic through the downtown area.

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Culver to approve Ordinance No. 2015-20 designating truck routes to regulate the activities of commercial vehicles in the City of Wylie. A vote was taken and the motion passed 6-0 with Councilman Jones absent.

READING OF ORDINANCES

City Secretary Ehrlich read the caption to Ordinance No.'s 2015-20 and 2015-21 into the official record.

ADJOURNMENT

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl to adjourn the meeting at 6:44 p.m. A vote was taken and the motion passed 6-0 with Councilman Jones absent.

ATTEST:


Carol Ehrlich, City Secretary

